

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RAYMOND COLON, :
Plaintiff, :
v. : Case No. 3:07-cv-225-KRG-KAP
SUPERINTENDENT GERALD ROZUM, :
S.C.I. SOMERSET, et al. :
Defendants :
:

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on November 17, 2008, docket no. 22, recommending that the motion to dismiss the complaint by the remaining defendant Irwin, docket no. 17, be granted. The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had ten days to serve and file written objections to the Report and Recommendation. Plaintiff filed a bizarre pleading styled as objections, docket no. 23, but no coherent objections have been filed and the time to do so has expired.

Upon review of the record of this matter and the Report and Recommendation, the following order is entered:

AND NOW, this 15th day of December, 2008, it is
ORDERED that defendant Irwin's motion to dismiss the
complaint, docket no. 17, is granted. The Report and
Recommendation is adopted as the opinion of the Court. The Clerk
shall mark this matter closed.

BY THE COURT:



KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice by ECF to counsel of record and by U.S. Mail to:

Raymond Colon GE-6774
S.C.I. Somerset
1600 Walters Mill Road
Somerset, PA 15510